



FEBRUARY 2011

**STATE OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
BUREAU OF AUTOMOTIVE REPAIR**

FREQUENTLY ASKED QUESTIONS

HOW TO BE REGISTERED AS A LIMITED LIABILITY COMPANY

What is a Limited Liability Company (LLC)?

A Limited Liability Company (LLC) is a legal entity, or form of business, that provides limited personal liability to the company's owners for any debt incurred or legal actions taken against the company.

Is an LLC required to be registered with the Bureau of Automotive Repair (BAR)?

Yes, an LLC company that engages in the business of repairing or diagnosing malfunctions of motor vehicles for compensation must be registered with BAR.

How do I register with BAR?

To register as an LLC, you need to complete the LLC application and submit the \$200 fee. If you are also adding a Smog Check, lamp and/or brake station you must submit the correct application along with the applicable fees. Applications can also be obtained by calling the Department of Consumer Affairs' (DCA) Consumer Information Center at 800.952.5210 or BAR's Licensing Unit at 916.255.3145.

How do I obtain the required permits to complete the LLC application in its entity?

- **Domestic or foreign LLC number**
Contact the California Secretary of State office at 916.653.6814 or obtain the forms at www.sos.ca.gov/business/be/forms.htm#llc.
- **Seller permit number**
Contact the California State Board of Equalization office at 800.400.7115 or obtain the forms at www.boe.ca.gov/sutax/staxformsn.htm.
- **Federal employer identification number**
Contact the Internal Revenue Service office at 800.829.3676 or obtain the forms at www.irs.gov/pub/irs-pdf/fss4.pdf.
- **Local jurisdiction requirements/permits/licenses**
Contact the California Environmental Protection Agency's CalGOLD Program at 916.323.2514 or visit them at www.calgold.ca.gov/.

In addition to the completed LLC application are there other documents required?

Yes, an operating agreement is required.

What is an operating agreement?

An operating agreement is a written agreement among LLC members governing the LLC business, and members' financial and managerial rights and duties. In a single member LLC, an operating agreement is a declaration of the structure that the member has chosen for the company. For more information regarding an operating agreement please seek legal counsel.

What is a Member?

A member is a person or entity that owns a percentage of interest in an LLC. Members are similar to shareholders in a corporation. A member can be an Individual, a Partnership, a Corporation, a Trust or a Limited Liability Company.

Do all members need to sign the LLC application?

No. Only one representative, who is also a member, is required to sign the application.

Do I need to list all persons that are members of the LLC on the application?

You must list all persons on the application as follows:

- Partnership - list all partners;
- Corporation - list the president, secretary and treasurer;
- Trust - list every trustee; and
- Limited Liability Company - list all members.

Do I need to notify the BAR with any member changes?

Yes, if you are already registered as an LLC and also own a licensed station, and are adding or deleting a member, you must submit a new LLC application and fee.

Who to Contact

If you have any questions regarding requirements, please contact the BAR's Licensing Unit at 916.255.3145, email BAR's licensing's Unit at www.barlicensinginfo.ca.gov or contact the Department of Consumer Affairs' Consumer Information Center at 800.952.5210. BAR forms and applications are available at www.smogcheck.ca.gov.